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California Energy Commission

DOCKETED

15-BSTD-01

TN # 76101

AUG 05 2015

August 4, 2015

California Energy Commission
Dockets Office MS4
1516 Ninth St.
Sacramento, CA 95814-5512

Re: Docket No. 15-BSTD-01

Adoption of 15-day language for the 2016 Building Efficiency Standards
Non-Residential Lighting lighting requirements

Members of the CEC:

We are writing to endorse the second version of the 15-day language for the 2016 BES, although we do this reluctantly, because the 2016 modifications to the disastrous 2013 Title 24 standards are so minimal that they will do little to restore the robust energy conservation in California before the 2013 standards were put in place. Those standards required 18 months to implement, and are still not functioning in the field as intended. The 2016 modifications will ameliorate some of the problems in the energy efficiency marketplace, but they will not fix the problem. The CEC will be back again in a year or so to consider additional modifications and then again until most of the requirements of the 2013 T24 lighting standards are eliminated. In the meantime, California and the globe will suffer the effects of the wrong-headed 2013 standards: reduced energy conservation, increased costs, and the decimation of the lighting energy-efficiency companies that were responsible for California's pre-eminence in the field.

Thank you CEC for re-engineering the Golden Goose and killing it in the process. It wasn't broken, you fixed it, and now it is dead, and not surprisingly not delivering any golden eggs.

When we could justify full crews, we retrofitted much of the Kaiser Health System facilities in Northern California, and the Oakland, Alameda, and San Jose school systems. Also the entire group of Embarcadero Center office towers, Transamerica Pyramid, 101 California, many of the Shorenstein office properties, and the-then Marathon property at 2nd and Folsom in SF which also housed the California Supreme Court at the time.

That will not be coming back for us in the new regulatory stranglehold. And it will not be coming back for the California energy efficiency program. The proposed 2016 regulations will not allow retrofit projects of this kind to go forward in the future. Instead, there will be small, piecemeal retrofits, 50 or 60 fixtures here and there, and a few tenant improvement projects that have to comply with the full requirements of the 2016 T24 regulations, no total-building retrofits. Too expensive, too complicated. why do it?

I ask the CEC: do you want the energy savings benefits from a few thousand Luminaire Alterations and Modifications, or millions as was the case in the past before the 2013 Title 24 regulations?

Those projects were not specified and bid for in the way that public and major construction projects are, with bid documents advertised and contracting firms with staffs of estimators competing for the project. They were packaged and sold by retrofitting companies that had the marketing skills to create new business in the energy marketplace. Inside Wireman contracting firms do not have the marketing and sales skills to identify, package, and sell this type of project, meaning that they will not happen. Retrofitting will trickle along at the paltry level of < 70 fixtures and many if not most of the retrofitting contractors will leave the field for more profitable, sustainable work. Many have already.

Consider the magnanimous number of outdoor light fixtures allowed without triggering the very expensive two-level lighting controlled by occupancy sensors and timeclocks or photocontrols: < 5.

In this regulatory environment, LED retrokits will not be installed, and the existing higher wattage Metal Halide, High Pressure Sodium, and Mercury Vapor will be left in place. Is this the intended outcome of the 2016 Title 24 regulations? I know one retrofit contractor who has already left the field of outdoor lighting because of these regulations. Others will follow.

As stated before, **we endorse the 15 day language while holding our noses, and request that the changes become effective immediately because of the damage already done to the retrofit industry.** The new language is a very small step in the right direction that will allow very small lighting retrofit contractors to stay in business serving very small customers and achieving very modest energy savings for California. The CEC should remember that as much work goes into packaging and selling a lighting project for a small corner market as goes into packaging and selling a high rise office tower project. One addresses < 70 fixtures; the other as many as 12,000 fixtures. My company retrofitted the lighting in 101 California St. in SF, completing 12,000 fixtures in 12 weeks, then moved on to another similar project. **There will be no more projects of this sort under the regulations proposed in the 15-day language for 2016 Title 24.**

We are sick at heart to see a once-vibrant sector of the energy efficiency industry regulated out of existence by the California Energy Commission's attempt to fix a system that was not broken. Lighting retrofit contractors led the industry in energy savings for 30 years running, but are destined to become an historical footnote in today's regulatory environment. The CEC has championed the perfect at the expense of the good, and will most likely realize neither, as the planet continues to warm and the state burns due to climate change. Not a good time to fiddle with the details. The times call for a wholesale change to a more welcoming regulatory environment that supports every part of the energy efficiency industry, not just the lighting controls niche.

Sincerely,

Don Link

Don Link, President